

House File 425 - Introduced

HOUSE FILE 425
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 16)

(COMPANION TO SF 253 BY
COMMITTEE ON JUDICIARY)

A BILL FOR

- 1 An Act relating to sexual abuse in the second degree and sexual
- 2 abuse in the third degree.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 692A.102, subsection 1, paragraph a,
2 subparagraph (3), Code 2021, is amended to read as follows:

3 (3) Sexual abuse in the third degree in violation of section
4 709.4, subsection 1, paragraph "b", subparagraph (1) ~~or (2)~~, if
5 committed by a person under the age of fourteen.

6 Sec. 2. Section 692A.102, subsection 1, paragraph c,
7 subparagraph (11), Code 2021, is amended to read as follows:

8 (11) Sexual abuse in the third degree in violation of
9 section 709.4, subsection 1, paragraph "b", subparagraph (1) ~~or~~
10 ~~(2)~~, if committed by a person fourteen years of age or older.

11 Sec. 3. Section 709.3, subsection 1, paragraph b, Code 2021,
12 is amended to read as follows:

13 b. The other person is ~~under the age of twelve~~ a child.

14 Sec. 4. Section 709.4, subsection 1, paragraph b,
15 subparagraph (2), Code 2021, is amended to read as follows:

16 ~~(2) The other person is twelve or thirteen years of age.~~

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to sexual abuse in the second degree.

21 Current law provides that sexual abuse in the second degree
22 includes when sexual abuse involves a person under the age of
23 12.

24 The bill provides that sexual abuse in the second degree
25 includes when the sexual abuse involves a child. Code section
26 702.5, defines "child" as any person under the age of 14.

27 Sexual abuse in the second degree is a class "B" felony
28 punishable by confinement for no more than 25 years.

29 The bill makes conforming changes to Code section 692A.102
30 (sex offender registry) and Code section 709.4C (sexual abuse
31 in the third degree).